

JUL 30 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Issue: Martin Eberle, Tim Rabel
Appl No.: 10/752,425
Filed: January 6, 2004
For: APPARATUS AND METHOD FOR
LIGHTER-THAN-AIR AIRCRAFT

Confirmation No.: 3796
Group Art Unit: To be assigned

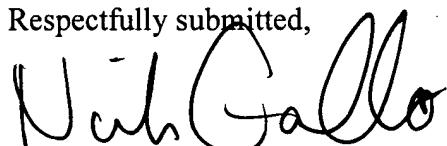
Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application dated April 20, 2004, enclosed are the following:

- Part 2 of Formalities Letter or Form PTO-1533
(Notice to File Missing Parts of Application)
- Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventor(s)
- Applicant claims small entity status
- Check in the amount of \$1,080.00 to cover the filing fee of \$950.00 and the \$130.00 surcharge under 37 C.F.R. § 1.16(e)
- English Translation and \$130.00 (37 CFR 1.17(i)) fee for filing late.
- Other: Petition and Fee for Extension of Time (\$420.00)
- Any deficiency, additional fee, or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,



Nicholas F. Gallo
Registration No. 50,135

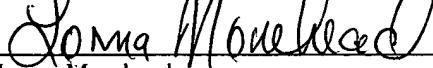
Customer No. 00826
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Filed: January 6, 2004
Page 2



"Express Mail" mailing label number EV 440825421 US
Date of Deposit July 30, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Lorna Morehead

CLT01/4660063v1



08-02-04

Alston & Bird

1FW

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APR 22 2004

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/752,425	01/06/2004	Martin Eberle	38190/260888

CONFIRMATION NO. 3796

00826
ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

FORMALITIES LETTER



OC000000012396901

Date Mailed: 04/20/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$180** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1080** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

08/03/2004 WASFAW1 00000018 10752425	
01 FC:1001	770.00 0P
02 FC:1051	130.00 0P
03 FC:1202	180.00 0P

- Total additional claim fee(s) for this application is **\$180**
 - **\$180** for **10** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Phuong Bui
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE